

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of SCOTT MIKAL PETSUCH,  
Minor.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

v

EMILY JANE PETSUCH,  
  
Respondent-Appellant.

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UNPUBLISHED  
December 8, 2000

No. 223350  
Wayne Circuit Court  
Family Division  
LC No. 98-364806

Before: Bandstra, C.J., and Fitzgerald and D. B. Leiber\*, JJ.

MEMORANDUM.

Respondent appeals as of right the family court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Although it is unclear whether it was respondent or her partner who abused the child, the record reveals that both were present at the time of the abuse and that respondent did not obtain the necessary counseling to resolve the child abuse issues. Respondent denied abusing the child and indicated that she had no intention of ending her relationship with her partner despite the fact that her decision could affect the court's decision in this matter.

Under these circumstances, the family court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974; *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the family court did not err in terminating respondent's parental rights to the child.

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\* Circuit judge, sitting on the Court of Appeals by assignment.

Affirmed.

/s/ Richard A. Bandstra  
/s/ E. Thomas Fitzgerald  
/s/ Dennis B. Leiber